



**Upper Mississippi,
Illinois and Missouri
Rivers Association**
Comments on the Upper Mississippi River
and Illinois Waterway Restructured System
Navigation Feasibility Study,
DRAFT 5-17-02.

BACKGROUND:

Although UMIMRA members and organizational representatives have participated in the public input opportunities leading up to the study's restructuring, our group's official representation on the joint Oval Group comprised of the Economic Coordinating Committee (ECC) and the Navigation Environmental Coordinating Committee (NECC) began in October 2001.

The invitation to participate came as a result of the restructured study's guidance to consider floodplain needs. Our input was encouraged because our membership represents diverse economic interests throughout the floodplain of the study area.

As latecomers to the inner circle of stakeholders, it seemed that the floodplain discussion had been framed in terms of ecosystem needs and tradeoffs long before we became involved, thereby limiting any substantial contribution from our group to determine the far more complex "needs" of floodplain interests.

GENERAL OBSERVATIONS and SUGGESTIONS:

1. **OBSERVATION:** In general, it seems the entire purpose of the restructured Navigation Study has been either misidentified or misstated as one of "relieving lock congestion."
SUGGESTION: Our board of directors and membership view **the over riding purpose of the study as to determine what is needed to maintain a globally competitive inland waterway system in the Upper Mississippi Valley.** Lock congestion is just one of many symptoms of the problem of an outdated infrastructure that does not allow for innovation in products or methods of transporting products on the rivers. (sidenote: the economics should account for goods transported throughout the entire study area, that reaches to the Mississippi-Ohio confluence. The significance of world grain prices being set from the Port of New Orleans, which is heavily dependent on the Upper Mississippi Valley grain shipments, should also be stressed in the economic analysis.)

Response: Purpose as been revised as follows

- **Provide an efficient National Transportation System.**
- **Achieve an environmentally and economically sustainable system.**
- **Address ecosystem and floodplain management needs related to navigation.**
- **Operate and maintain the system to ensure economic, environmental, and social sustainability.**

2. OBSERVATION: Due to revised guidance, the objective to, “address ecosystem and floodplain management needs related to navigation” is referenced many times throughout the report.

SUGGESTION: Remove the word “management” from the phrase “floodplain management.” (ex. pp. 11, 80 Report, p. 16 Exec. Summ.) It is a term that takes on a number of different connotative meanings depending on who is speaking and the topic of conversation. From UMIMRA’s perspective, the term “floodplain management” reeks of regulatory command and control measures that expedite public land acquisition by removing incentives or placing multiple barriers to economic development in floodplains. *UMIMRA, Nav. Interim Comments, 6/02* The phrase implies management through executive branch (state or federal with county requirements) administration without recognition to tremendous public benefits provided by efforts of the number of private landowners and businesses who have funded the capture and removal of sediment prior to reaching mainstem tributaries and maintenance of interior water levels, in many cases for close to 100 years, using their own dollars and time – not public resources. Much of the floodplain area of the study is not protected by levees. However, those areas that are protected by levees provide stability for economic and ecosystem activities. In short, the phrase “floodplain management” is offensive as it understates the roles played by thousands of private interests – far more than agricultural production – and overstates the role of public administrators.

Response: Understand the concerns. This definition needs to be more fully defined in the feasibility study.

3. OBSERVATION: In an effort to keep the Study to an almost manageable scope, the “99 WRDA Comprehensive Floodplain Study” is referenced as an important piece to provide more thorough input on floodplain needs – outside of the Navigation Study’s primary purposes.

SUGGESTION: Properly reference the 99 WRDA piece. As authorized in Section 459 of the Water Resources Development Act of 1999, the above referenced study is titled, “Upper Mississippi River Comprehensive Plan.” (ex. pp. 5, 15 Exec. Summ., pp. 36, 41, 122 Report)

Response: Concur.

Also, **properly describe what the Plan will deliver** (p. 61-62 2.4.2.3 Report). There are three primary deliverables expected in a report due to Congress three years from the date of funding the planning process: 1. contain recommendations on management plans and actions to be carried out by the responsible Federal and non-Federal entities; 2. specifically address recommendations to authorize construction of a systemic flood control project for the Upper Mississippi River (and Illinois River as defined in geographic scope); and 3. include recommendations for Federal action where appropriate and recommendations for follow-on studies for problem areas for which data or current technology does not allow immediate solutions. Since the Project Management Plan for the Comprehensive Plan has yet to be developed and approved by Corps officials, it might be premature to outline the items as currently written on the top of Page 62.

Response: See 1.6.4.4 of final Interim Report.

4. **OBSERVATION:** A false dichotomy of navigation-environment permeates the document and the study effort (ex. p. 39 2.3.2, p. 97 2.5.1.2 Report; p. 13 Exec. Summ.). By communicating outside the study process, some non-governmental groups have achieved limited recognition that these two functions are not exclusive of each other. That recognition has yet to translate to implementable strategies – largely due to the limited resources of stakeholder interests to fully learn about all facets of all project purposes and the limited will to incorporate “equal project purposes” into their own mission statements and organizational action plans. (In other words, the debate has been incorrectly oversimplified to two issues. Groups are different because they form around different motives and philosophies. And there’s been a lot of talk and only actions that lead to more tradeoffs, not mutually beneficial solutions.)

SUGGESTION: Any reference to considering a multi-purpose system authority with adequate funding or other references to multiple needs/uses/purposes/ or mandates, should include flood control (Add to flow chart p. 13 Exec. Summ., p. 121 Report).

This is a necessary building block to protect critical infrastructure that allows businesses and recreation access to the rivers for navigation and to protect much of the habitat (public and private) that is cited time and again as a national treasure (ex. p. 80 2.4.3.7 Report).

Response: Noted. The evaluation of future authority changes or modifications will be completed in the feasibility study.

The “Goals for the Floodplain” (p. 41 2.3.4 Report) completely overlook industry and commercial activity interests in the floodplain and link recreation to environmental projects without adequate credit to flood control. The first is a glaring omission. Both statements reflect a bias that must be eliminated prior to pursuing the Comprehensive Plan. The segment on “Social Goals” (p. 41 2.3.5 Report) begins to recognize that people need to be employed before they can afford to play outside. However, it once again overlooks the role that flood control plays to allow for intermodal access, interstate commerce, protection of critical infrastructure such as water supplies and power production-distribution and recreational access to the rivers.

Response: See revisions in Sec 2.3.4.3 and 2.3.4.4.

Another example of under rating or overlooking the role of flood control structures is found on p. 5 of the Executive Summary, “In the middle and southern portions of the basin the habitat provided by the mainstem rivers represents the most important and abundant habitat in the region for many species...Agriculture dominates the wide floodplain south of Rock Island, Illinois...” Despite agriculture “dominating” the floodplain, this area is admittedly the richest habitat in the study area.¹ We learn through

¹ However, the Report p. 57 2.4.2.2.7 contradicts the Executive Summary citing habitat above Pool 14 as more diverse and higher quality. Yet, the specie numbers indicated to exist below Pool 14 seem larger. ?

the Report on p. 53 2.4.2.2 that “levees protect about three percent of the floodplain north of Clinton, Iowa, 50% of the floodplain between Clinton and Alton, Illinois, 83% of the floodplain south of St. Louis to the Ohio River, and 60% of the Illinois River south of Peoria, Illinois.” **These facts also contradict the notion that floodplain connectivity – which implies removing or notching levees – is necessary to provide rich habitat.**

Response: While floodplain habitat is important in the context of a developed watershed, that does not negate the fact that approximately one-half of native floodplain habitat has been converted to other uses.

The survey design and methods used for both the Long Term Resource Monitoring Program and the Habitat Needs Assessment need to be closely reviewed before they are referenced as valid information on which to base system wide (multi-purpose) decisions, including identification of goals (p. 41 Report).

Response: The LTRM and HNA are the best tools available to evaluate condition of the river. These tools will serve as the basis for determining future goals and objectives for a sustainable environment.

Also suggest that the **economic benefits of waterborne recreation** be more accurately documented and figured into the cost-benefit economic analysis of the lock and dam system. (ex. p. 6 Exec. Summ; pp. 16, 41, 62 Report)

Response: This section has been revised. At this time, the benefits of recreational craft will not be included in the B/C for potential navigation improvements.

Recognize that **consensus, under time and funding constraints, leads to the lowest common denominator** instead of maximizing the resources for each function or facet of the rivers. **Staying focused on the primary purpose of the study (globally competitive inland waterway system), while being aware of and minimizing system impacts or maximizing synergies, will achieve better results** for the purpose of Navigation in the long run.

Response: Noted

SPECIFIC COMMENTS ON THE DRAFT REPORT AND EXECUTIVE SUMMARY:

Report

p. 29, Issue 5 *“It is important to include the concepts of adaptive management...”*

p. 33, 1.8.5 *“the need for an integrated and adaptive management approach...”*

p. 96, 2.5.1.1.7 *“Any mitigation actions of the Navigation Study would be adaptive in nature,...”*

p. 123

Exec. Summary p. 16, Conclusion 4 *“An adaptive management program should be included in the integrated approach...”*

We do not support the concept of adaptive management because the parameters are unclear. At a minimum, adaptive management should have several accountability measures built in, such as: consistent, peer-reviewed (as approached by academic journals) problem identification methods; multiple solution formulation; timeline and funding procedures; monitoring for system wide impacts; cost-benefit applied to determine how changes in management will impact other facets and functions of the river (ex. installing in-channel fish habitat and resulting impacts on riverside of levees and sediment movement in navigation channel).

Response: Generally concur. The concept of adaptive management will be fully developed in the feasibility study.

Report

p. 122

Exec. Summary

p. 15 Floodplain Component

As stated in our general observations and suggestions, the bias toward environmental goals has stated this issue in narrow terms that do not represent the broad range of floodplain interests and needs.

The issue should be restated as: “This component would include any measures in the floodplain related to the navigation system. The WRDA 99 Upper Mississippi River Comprehensive Plan will review the issue of hydraulic conveyance for the purpose of developing systemic flood protection and making recommendations for authorities and follow on studies in the areas of habitat management, navigation, sediment and nutrient management, recreation and economic development.”

Response: Noted. See 1.6.4.4 of final Interim Report.

Exec. Summary

p. 15 Floodplain Component Recommendation, “four components, Nav Improvements, O&M, Ecosystem, and Floodplain.”

Flood Control should replace floodplain.

Response: The navigation study will provide the basis for establishing environmental goals and objectives from bluff to bluff. The Comprehensive Study will embrace the dual overarching national goals of flood damage reduction, and associated environmental sustainability. Economic issues within the floodplain will be addressed in the Comp Study.

Exec. Summary

p. 4 “(1) further identify the long-term economic and ecological needs”

We are not sure if, when, and how the economic needs related to the floodplain were solicited. (ex. The November 2001 joint ECC/NECC meeting facilitation process did not allow for that type of input.)

Response: The navigation study will provide the basis for establishing environmental goals and objectives from bluff to bluff. The Comprehensive Study will embrace the dual overarching national goals of flood damage reduction, and associated environmental sustainability. Economic issues within the floodplain will be addressed in the Comp Study

Report

p. 30, Issue 8 “How will site-specific impacts be addressed and incorporated...?”

At the November 2001 joint ECC/NECC meeting, we expressed concern that site-specific impacts to other functions of the river system, primarily the function of flood control, were not being considered as environmental projects were pursued.

We request that flood control be mentioned as one of the river system features that could be negatively impacted by environmental projects that stem from mitigation or collaborative efforts with the navigation project.

Response: Impacts from an environmental project will be evaluated for impacts to all components of the system including flood control. Same is true for economic development projects.

Exec. Summary

p. 16, Conclusion 7 “Completion of the feasibility study should be expedited.”

We completely agree with this statement and think it should be among the first three conclusions drawn in the Interim Report. (Following the removal of the word “management” from the third bullet point.)

Response: Noted. Preliminary conclusions section has been revised.

Also note that the anticipated completion date to allow for consideration in the 2004 Water Resources Development Act should be complimentary with the anticipated completion date of December 2003 for the Comprehensive Plan.

Response: Noted

Report

p. 51 2.4.2.2 Land Cover

The graph and description cites agriculture as the dominant land cover class covering 44% of the floodplain (note that types of agriculture are not broken into classes such as corn, soybeans, milo, wheat, pasture, sunflowers, fish farms, confinement livestock, etc.) However, all other classes (except 6% developed (160,000 acres p. 61 Report) and the unaccounted acres with no photo coverage) comprise the general term “habitat.” **The word “dominant” is not appropriate to describe agriculture when habitat occupies approximately 45-50% of the acreage in the floodplain.**

Response: Noted.

Report

p. 80 2.4.3.5 Without Project Floodplain Conditions “...There is little anticipation for more flood control projects, but floodplain management activities are increasing and will be part of any revised goals for the floodplain.”

We disagree with the comment that there is little anticipation for more flood control projects. (This statement was definitely not the result of consensus.) There is much anticipation for improved flood control projects where projects exist. The Comprehensive Plan will model a flood event that will determine whether new flood control projects are warranted. It is premature to say new flood control projects are doubtful and floodplain management activities will only increase. **This statement is written from the floodplain manager’s perspective and should be restated to reflect the broader stakeholder viewpoints expressed in our comments above.**

Response: Concur. Section revised

~~Report~~, Nav. Interim Comments, 6/02

p. 80 2.4.3.6 Without Project Social Conditions “...but the demand on resources will likely be higher. Water supply and waste treatment services will have to be provided regardless of the changes. Cities will likely continue to capitalize on their river resources.”

This statement supports our statement immediately above and somewhat contradicts the previous 2.4.3.5 statement as written before our comments. Cities’ river resources reach far beyond an attractive riverfront. They include industrial parks and intermodal transportation facilities that are protected by levees and other flood control projects. River communities’ water supplies and treatment are most often located behind levees. So **the statement that “cities will likely capitalize on their river resources” supports the notion that flood control projects will be enhanced and that commercial and recreational demand for locations protected by adequate flood control that offer access to the rivers will continue.**

Response: Noted.

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p. 8 Preliminary Navigation Improvement Alternatives

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pp. 80-93

No Action is not an option. The current operations and maintenance backlog is not enough to sustain efficient operations. Average wait times on the lower locks are just one proof of that. Additional costs such as lost sales, or internalized costs related to labor, do not seem to be adequately captured in the cost projections.

Congestion Fees and Traffic Scheduling are not feasible, have been proven unfeasible, and should not be listed as options.

Response: Noted. Congestion fees and scheduling will be evaluated in the feasibility study..

Our policy is to fully support Alternative 6 or 7, assuming the existing 600-foot locks are maintained, because the combination of features move the United States closer to having a globally competitive inland waterway system, protect against bank erosion by using guidewalls and mooring cells (which we hope will be placed with substantial input from the navigation industry), benefit recreational traffic and have minimum on-site direct impacts on the environment.

Response: Noted.

Report

p. 43 last paragraph “...there is a need to define reference conditions for the desired state of the river...The high productivity of the early post diversion and pre-pollution period is a likely reference condition for the condition of the Lower Illinois River. On the pooled reaches of the Mississippi River the early post dam period was considered a boon to wildlife by many.”

Please define the year(s) being referenced.

In general, by studying this statement and the Environmental Impacts graph (p. 7 Exec. Summ., p. 75 Report), we can deduce around 1940 on the Mississippi. But the Illinois is still a question mark.

It seems that both rivers assume a benchmark reference condition that included the locks and dams – which is realistic. However, it seems **the desire to return habitat areas on the Mississippi to a 1940 condition is unrealistic and cost prohibitive** given that the river system was at a habitat peak in the long, dynamic process of stabilizing.

Response: The benchmark reference conditions mentioned is not intended to reflect a desired state. The desired condition will be defined during the remainder of the feasibility study.

Engineers on our board, who have significant hydrologic and hydraulic expertise, state that the Mississippi’s cross-section is closer to “natural” now because of the natural process of sedimentation than it was in the 1940s.

Response: 1940’s will not be used to define the desired state for the future of the river.

Data from the Illinois State Water Survey also shows that river water quality has vastly improved since that time.

Response: Concur

Our board posed the question, **“What do ‘counts’ of wildlife (for the 485 species of birds, mammals, amphibians, reptiles, and fish in the valley over the time periods in question) show?”** They also ask, **“How is ‘gradual degradation of ecological integrity’ defined?”**

What unit of measurement and what increments are used to plot the Cumulative Impacts over Time graph? (p. 11, Fig. 2, Exec. Summary)

Response: Counts of wildlife are ways to assess the biodiversity of a region. We did not assess the change in numbers of species over time, and don't anticipate doing so.. Gradual degradation of ecological integrity is defined as the gradual change in the environmental condition including loss of aquatic area due to sedimentation, loss of forest diversity, etc...

Exec. Summary

p. 9-10 Preliminary Environmental Alternatives

Alternative A: It is inappropriate to include the Environmental Management Program in Alternative A – No Action. The EMP uses many of the techniques that are referenced as solutions for enhancing habitat. By including the EMP in “No Action,” the stakeholders are saying that it has not had positive impacts toward reaching environmental goals. If that is the case, maybe funding for the program should be reconsidered.

Response: EMP is a program that is already authorized and funded. As such, it is part of any future including a no further action future.

Alternative B: The installation of mooring cells – with input from the navigation industry to ensure the moorings are used – will benefit shoreline habitats **and flood protection**. (Recognize benefits to flood protection).

Response: Benefits and impacts of all alternatives will be assessed in the feasibility study.

Alternative C: Again, recognize that overdredging for deepwater habitat will **provide benefits to flood control by increasing conveyance capacity** in high water events. The mention of placing woody debris makes us caution that the debris should somehow be secured so as not to snag or to cause problems for commercial and recreational boats.

Response: Benefits and impacts of all alternatives will be assessed in the feasibility study.

Alternative D: **Recognize that pool management such as drawdowns should not create upstream or downstream negative impacts to other features of the system such as flood protection.** The use of fish passage structures seems like a very good idea to broaden the range of fish populations.

Response: Concur. Full range of impacts will be assessed in the feasibility study.

Alternative E: **Clarify that the phrase “low levees and water control structures, closing structure notching” does not apply to agricultural, industrial or other flood control structures outside of those that exist to protect and to create habitat areas.**

Response. Noted, these are environmental alternatives and the recommendations apply to state/Federal management areas.

Alternative F: **Not acceptable to impose restrictions on traffic** for questionable gains in plant and animal populations. We recommend these goals of promoting emergent plant growth, consolidating sediments and allowing for fish spawning be achieved in off-channel areas that are already operated by conservation agencies.

Response: The full range of impacts will be assessed in the feasibility study.

Alternative G: The proposals to improve timber stands, manage wetlands and other habitat creation (stated as restoration) activities **could present problems**. If approached with a true spirit of partnership, these efforts could be welcomed by some private landowners without the need for public land acquisitions.

Response: Noted.

OTHER MUTUALLY BENEFICIAL SOLUTIONS with adequate planning:

(Relevant to Environmental Alternatives, p. 9 Exec. Summ., p. 109 Report):

In terms of mutually beneficial solutions, our board recommends **varied in-channel depths** that benefit aquatic life and result in more water being conveyed during high water events.

Response: Benefits and impacts of all alternatives will be assessed in the feasibility study.

We also recommend the **use of islands serving the dual role of off-bank revetments** that could provide in-channel aquatic habitat, reduce sedimentation, and provide additional flood protection by slowing or preventing erosion of riverbanks.

Response: Noted.

We suggest that U.S. Fish and Wildlife and state conservation agencies operation and maintenance funds be applied to off-channel dredging efforts that maintain the much desired backwater pools for fish and waterfowl habitat.

Response: Cross cut budgeting opportunities will be explored in the feasibility study.

Report

p. 60 total spending on environmental management.

We question the accuracy of the dollar figure of \$4 million as the combined total of five states in the study area, knowing that states' activities to improve habitat are not limited to refuges.

The omission of the much-touted Conservation Reserve Enhancement Program and related USDA-NRCS programs to create habitat in the Illinois River valley grossly understates the dollars that are flowing into habitat creation/enhancement efforts.

Response: The \$4 million figure was referenced from another document, it was to be specific to management activities on the river-floodplain.

We recognize the great value of CREP and other upland conservation programs, but the efforts are removed from the impact area assessed by the Nav. Study.

Report

p. 61 2.4.2 Existing Floodplain Conditions

Recognize that the **benefits were also related to public health and safety**. The benefits of levees and drainage go far beyond dollars and cents.

The **phrase “non-structural approaches to flood control” is an oxymoron and should be restated as “non-structural approaches to flood damage reparation or risk reduction.”**

Response: Concur.

Exec. Summary

p. 14 Ecosystem Restoration Component

The word restoration should be replaced with enhancement in all appearances. We need to create desired future conditions rather than seek to recreate unrealistic and cost prohibitive results based on snapshots taken long ago.

Response: Definition of eco-terms has been improved in final document.

We **disagree that cost-sharing should be available for land acquisition for ecosystem enhancement by state and federal government agencies**. However, It is appropriate to include land acquisition funds in the case of the dredge material placement where other mutual benefits (such as consolidating sediments for habitat or repairing or strengthening a flood control levee) are not obtained.

Response: Noted. Cost sharing guidelines will be set by the administration and the Congress.

We are concerned by the general statement that, “the need for a holistic and comprehensive restoration approach leads to the conclusion that ecosystem restoration measures should not be limited to those related to the operation and maintenance of the existing navigation system and its structures.” We would not support this concept, because we think the Navigation Study needs to stay focused on the primary objective of how to have a globally competitive inland waterway system in the Upper Mississippi Valley.

Response: Noted. This study has been restructured to address sustainability issues within the navigation system and related ecological and floodplain resources. This will include the development of goals and objectives in the navigation study that reach from bluff to bluff. The navigation study will address implementation issues within the navigation system. Other efforts will address implementation issues outside the navigation system.

Exec. Summary

p. 12 1. Conclusion, considering integrated system authority

Report

pp. 120-123 1. Conclusion, considering integrated system authority

We can not support this as a recommendation to be enacted until much more detailed discussion related to institutional arrangements and to setting goals, objectives, and strategies that meet the diverse needs of stakeholders in the study area. (Which as pointed out repeatedly are not comprehensively covered in this study, therefore, this study would be one of many pieces considered in the goal setting process.) **We support in-depth consideration** by non-governmental groups, multiple state and federal agencies of how an integrated system authority would operate and be funded. **We suspect that this in-depth conversation can not take place until the WRDA 99 Upper Mississippi River Comprehensive Plan is well underway**, because Congress addressed the Corps to consider and to make recommendations for authorities for the systemic flood protection plan and other efforts that will stem from the planning process.

Response: The goals and objectives will be developed as part of the collaborative process. Discussion on institutional arrangements will be dependent on the recommended plan to be developed in the feasibility study. The Comp Study will be integrated with the Nav Study as appropriate.

Thank you for the opportunity to review the DRAFT Interim Report and for incorporating our suggestions into the final Interim Report. Please contact our office with questions.

Sincerely,

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